



PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,385-E)

TECH CENTER 1600/2900

REC'D 11/26/02

In the Application of:)
Hauptmann et al.)
Serial No.: 09/525,998)
Filing Date: March 15, 2000)
For: TNF receptors, TNF binding proteins)
and DNAs coding for them)
Examiner: To be Assigned
Group Art Unit: 1646

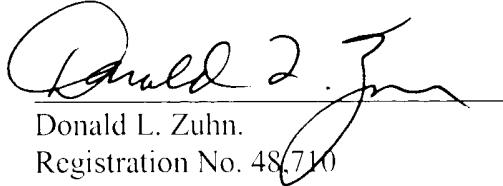
TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

- In regard to the above identified application,
1. We are transmitting herewith the attached:
 - a) Second Supplemental Information Disclosure
 - b) PTO Form 1449; and cited references
 - c) Return postcard
 2. With respect to fees:
 - a) No fees are required
 - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
 3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service hand delivered to the Commissioner for Patents, Washington, D.C. 20231 on November 26, 2002.

Respectfully submitted,


Donald L. Zuhn.
Registration No. 48,710

Date: 26 November 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98-385-E)

In re Application of: Hauptmann et al.)
Serial No.: 09/525,998) Before the Examiner: E. O'Hara
Filed: March 15, 2000) Group Art Unit: 1646
For: TNF Receptors, TNF Binding)
Proteins and DNAs Coding For Them)

Commissioner for Patents
Washington, D.C. 20231

Sir:

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE

In the Response to Office Action Mailed June 17, 2002, submitted on November 19, 2002, Applicants provided a Supplemental Information Disclosure Statement listing six of the eight references from the Information Disclosure Statement filed October 24, 2000 that had not yet been considered. Applicants noted in the Response that they had not been able to locate copies of the remaining references in their own file and were attempting to secure new copies of those references for submission with a Second Supplemental Information Disclosure Statement.

In reviewing the Information Disclosure Statement filed October 24, 2000, Applicants discovered that due to a typographical error, one of the remaining references was incorrectly listed (*i.e.*, Tsujimoto *et al.*, 1987, *Tumor Necrosis Factor and Related Cytotoxins*, pp. 88-108). Applicants provide copies of the correct Tsujimoto *et al.* reference (*Arch. Biochem. Biophys.* 249:563-68 (1986)) and two references that were inadvertently listed on the same line in the Information Disclosure Statement filed October 24, 2000 (*i.e.*, Tracey *et al.*, 1987, *Tumor Necrosis Factor and Related Cytotoxins*, pp. 88-108; Tracey *et al.*, 1987, *Nature* 330:662-64).

This statement is filed under 37 C.F.R. §§ 1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or

constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

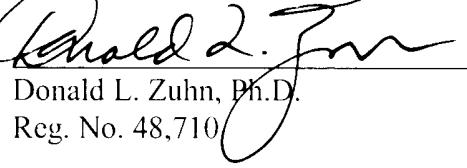
If there is any fee due in connection with the filing of this Statement, Applicants hereby authorize the Commissioner to charge the fee to Deposit Account No. 13-2490.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Dated: November 26, 2002

By:


Donald L. Zuhn, Ph.D.

Reg. No. 48,710